

NATIONAL HIDTA DIRECTORS' ASSOCIATION

Reauthorization of the Office of National Drug Control Policy

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Committee on Government Reform Subcommittee on Criminal Justice, Drug Policy and Human Resources

June 15, 2005

Chairman Souder, Ranking Member Cummings, and distinguished members of the Committee: It is an honor to appear before you today to discuss the reauthorization of the Office of National Drug Control Policy (ONDCP) and the High Intensity Drug Trafficking Area (HIDTA) Program. ONDCP and the HIDTA Program are a vital part of our Nation's efforts to address the numerous threats that illegal drugs and drug trafficking pose to the safety and well being of our communities and citizens. My colleagues and I at the National HIDTA Directors' Association (NHDA) are impressed with the ONDCP reauthorization legislation recently introduced in the House of Representatives and believe it is an important step forward for both ONDCP and the HIDTA Program.

I come to you with over 34 years of law enforcement experience, including 20 years in drug law enforcement, ranging from investigating drug crimes to leading the Maryland State Police Bureau of Drug Enforcement and 11 years as the director of the Washington/Baltimore (W/B) HIDTA. My colleagues in the NHDA and I collectively represent more than 1,000 years of law enforcement experience. I appreciate the opportunity to share the NHDA's views on the provisions of the reauthorization Bill that affect the HIDTA Program and our great Nation.

I. Introduction

The proposed ONDCP reauthorization Bill contains numerous amendments and additions to the current authorizing language that should benefit both ONDCP and the National HIDTA Program. The NHDA's members are impressed with the insight and understanding demonstrated by the members of Congress who took part in drafting this Bill. It consistently emphasizes the most important lessons we have learned from drug control efforts over the past several decades and, when enacted, will implement numerous improvements to ONDCP and the HIDTA Program.

Improving the coordination of drug law enforcement activities among Federal, State and local agencies has proven to be one of the HIDTA Program's most valuable tools for enhancing the effectiveness of drug enforcement efforts. While overcoming barriers to true cooperation among drug enforcement agencies is often challenging, it is almost always justified by the enhanced operational effectiveness and expanded capabilities that it promotes. This reauthorization Bill will promote enhanced interagency coordination in a number of key areas. Through the requirement for the development of a Southwest Border Counternarcotics Strategy, coordination of drug enforcement operations on the Southwest border will receive the additional attention needed to bring about better results. The Bill also provides for enhanced coordination of international and domestic interdiction efforts through The Interdiction Committee (TIC).

Developing and sharing accurate, timely information and intelligence on drug trafficking and drug-related criminal activities is essential to the continued success of drug law enforcement efforts. The HIDTA Program has emerged as a national leader in the field of drug information and intelligence, operating a network of more than 50 regional law enforcement intelligence centers and promoting a wide variety of initiatives aimed at expanding information sharing. This reauthorization Bill will help law enforcement improve coordination of drug intelligence efforts through the General Counterdrug Intelligence Plan (GCIP) and require the HIDTA Program to conduct a program-wide assessment of its intelligence sharing efforts with an eye toward improving coordination and eliminating barriers to information and intelligence sharing. My colleagues and I applaud both of these initiatives and look forward to taking part in each of them.

Performance measurement and data collection are two areas in which the HIDTA Program has excelled in the past two years. The directors of the Nation's 28 HIDTA regions are actively engaged in efforts to enhance the HIDTA Program's performance measurement system; during my testimony before this Committee on March 10, I provided an overview of the Performance Management Process that we developed and implemented in 2004. The reauthorization Bill's focus on mandating comprehensive and effective performance measurement and reporting is commendable. The NHDA is pleased to see that this Bill incorporates numerous provisions aimed at improving data collection on drug use and drug trafficking, all of which are vital to performance measurement and, in the end, informed decision making.

Finally, this reauthorization Bill will implement some worthwhile changes in the HIDTA Program. In many cases, the Bill's language clarifies and expands existing program elements, such as the HIDTA designation process or the HIDTA Program's performance management system. The Bill also authorizes the HIDTA regions to support counterterrorism efforts and witness protection programs if their Executive Boards determine that such support is an effective means of advancing their regions' goals. Taken together, these changes will empower the HIDTA Program to operate more efficiently, better monitor its performance and build on its extraordinary record of success.

II. Provisions Impacting the HIDTA Program

The requirement for ONDCP to issue an annual report to Congress on consultation activities surrounding the preparation of the National Drug Control Strategy is a welcome addition that is obviously designed to promote collaboration among ONDCP and State and local agencies and organizations. This is entirely appropriate in light of the fact that State and local governments and community organizations are generally the first to identify emerging drug trends and bear much of the responsibility for addressing the consequences of drug use and trafficking.

The GCIP provisions included in this Bill will be of great benefit to law enforcement. The inadequate coordination of drug intelligence efforts and the fragmentation among the centers responsible for producing and disseminating this intelligence are certainly not new problems, but they have become especially troublesome in today's environment where intelligence sharing is seen as a top priority. My fellow HIDTA directors and I welcome efforts to address these issues through the GCIP and look forward to playing an active role in its development.

The Southwest Border Counternarcotics Strategy proposed in the reauthorization Bill is another excellent idea whose time has definitely come. The increasing volume of illegal drugs being transported from Mexico, the migration of violent gangs such as Mara Salvatrucha (MS-13) from Latin America into the United States and the Nation's continuing struggle with illegal immigration all point to the need for improved law enforcement coordination along the Southwest border. The Southwest Border HIDTA currently plays a prominent role in existing efforts to improve border law enforcement and all HIDTA regions will benefit from improved drug interdiction and intelligence gathering at the border. The NHDA strongly supports this provision and wants you to know that directors from the appropriate HIDTA regions are eager to volunteer their time and talent to participate directly in the shaping of this strategy from its inception.

One of the most significant obstacles facing the HIDTA regions and the HIDTA Program in developing improved threat assessments and performance measures is the limited amount of reliable and timely data that are available on many key aspects of drug use, trafficking and drug-related criminal activity. The data collection provisions integrated into this reauthorization Bill represent an important step forward in addressing this matter. To improve this process, the NHDA encourages you to consider inserting language authorizing the Director to promulgate a standard data reporting format that will simplify the data collection and analysis process.

One area in which the data collection provisions mentioned above may cause some difficulty concerns the term "drug-related crime." Due to the lack of a standardized definition of this term, there is no systematic collection of data on drug-related crime at the Federal, State or local levels. This issue will likely require considerable study before an agreement can be reached on how to define drug-related crime and how best to collect this data. Perhaps ONDCP should be charged with leading an interagency effort to address this matter.

This reauthorization Bill's provisions regarding performance measurement are especially welcome. HIDTA directors played a central role in creating the HIDTA Program's current Performance Management Process and are strongly in favor of efforts to improve and strengthen this process. The requirement that ONDCP regularly evaluate the usefulness and effectiveness of its performance measurement systems and techniques will prove helpful in promoting the development of better tools for measuring program results and relevant drug-related trends.

III. Provisions for the HIDTA Program

The statement of purpose for the HIDTA Program incorporated into this Bill is excellent. It accurately captures the Program's current purpose and does a fine job of recognizing the changes that have taken place within the HIDTA Program since its establishment in 1988.

The new requirements for regulations governing the HIDTA designation process that mandate review of designation requests by a panel of independent experts are a welcome change from the loosely organized designation process that has been used by current and past administrations. Further, the NHDA is pleased to see that drug distribution activities and the harmful impacts of illegal drugs will be added to the list of factors to be considered in a designation decision.

The provisions authorizing counterterrorism assistance will be a useful addition to the HIDTA Program. Many HIDTA regions already share information with counterterrorism task forces and provide support for their cases on a routine basis. This provision will officially recognize and codify these efforts, offering yet another valuable channel for information sharing.

The NHDA supports the language requiring the Director, in consultation with the Attorney General, to ensure DEA participation in HIDTAs' Intelligence Support Centers. This will enhance the HIDTA Program's overall intelligence efforts, as many of these centers will benefit immeasurably from increased interaction with the DEA and access to DEA databases.

The requirement for an assessment of intelligence sharing efforts within the HIDTA Program is another excellent addition to this Bill. As the Program has grown over the years, the number of intelligence sharing systems and programs operating within it multiplied quickly. A systematic review of these systems and operations will significantly advance the HIDTA Program's ability to identify the barriers to information sharing and fashion workable solutions to remove them.

The evaluation requirements for the HIDTA Program outlined in this Bill are an important step toward developing an accurate, up-to-date assessment of the Program's overall performance. All of the HIDTA regions are actively engaged in a rigorous

evaluation process and are prepared to report on their overall performance and outcomes. The HIDTA Program evaluation and reporting requirements will reinforce and strengthen these efforts.

Witness intimidation has become a very prominent issue in many of our Nation's communities, especially those that are suffering from increases in gang-related violence. As the Director of the W/B HIDTA, I commend Chairman Souder and Ranking Member Cummings for their personal attention to this issue and their sincere commitment to addressing it through the Dawson Family Community Protection Act. This Act will enhance protection for our most troubled communities and, in addition, fund efforts to promote witness protection. Witness protection programs not only benefit witnesses and their families and enhance prosecutors' chances of gaining convictions, but also bolster the general public's confidence in the criminal justice system. The measures proposed, such as temporary assistance to threatened witnesses and anti-crime hotlines, and the funds authorized will go a long way toward helping State and local agencies address witness intimidation in their communities.

IV. Conclusions

The membership of the NHDA, which is comprised of each regional HIDTA Program's director and many deputy directors, wholeheartedly supports the proposed reauthorization Bill. In its present form, this Bill recognizes the need for improved coordination for drug enforcement and drug intelligence activities and proposes numerous constructive responses to address these needs. The Bill's performance measurement and data collection provisions will reinforce the HIDTA Program's recent advances in performance measurement and provide reliable and timely data to support threat assessment and performance measurement efforts. It also proposes worthwhile changes and additions to the operation of the HIDTA Program that will contribute to efforts to build on its considerable successes and adapt to the changing nature of the illegal drug trade.

The NHDA strongly supports this legislation and firmly believes that it represents a major step forward in the evolution of ONDCP and the HIDTA Program. Thank you for allowing me this opportunity to share our views with this Committee.